



<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/605,921	
	Filing Date	11/6/2003	
	First Named Inventor	Ann-Lun Lee	
	Art Unit	2873	
	Examiner Name	R. Mack	
Total Number of Pages in This Submission	83	Attorney Docket Number	112.P14021

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> After Allowance communication to Technology Center (TC)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael J. Willardson, Reg. No. 50,856 Berkeley Law and Technology Group, LLC
Signature	
Date	12/8/05

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
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In re Patent Application of:

Examiner: *Mack, R.*

**Art Unit: 2873**

For: Image Capturing Device

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### **COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

**Dear Sir:**

In response to the Notice of Allowance and Examiner's statement of reasons of allowance mailed on September 8, 2005, it is respectfully requested that the following comments be entered in the record of the above-referenced patent application.

**COMMENTS**

The Examiner's statements of reasons for allowance are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents cited by the Examiner; however, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignees' belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner, or file more detailed comments, does not give rise to any implication that the Assignee agrees with or acquiesce in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiesce is present.

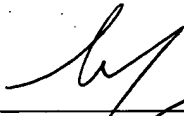
**CONCLUSION**

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: 12/8/05

  
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Michael J. Willardson  
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